Į	Case 3:07-cv-00298-LRH-VPC Document 7	Filed 1 <u>1/09/07 Page 1 of 2</u>
		FILED SUSPINION
		CACAMAD STATES OF PRESIDENCE
1		NOV - 9 2007
2	UNITED STATES DI	
	DISTRICT OF	NEVADA
3		At North
4		
5	CHRISTOPHER LAURITON,)	3:07-CV-0298-LRH (VPC)
6	Plaintiffs,	
7	vs.	REPORT AND RECOMMENDATION OF U.S. MAGISTRATE JUDGE
8	MATT DOEHRING,	
9	Defendant.	November 8, 2007
0		

This Report and Recommendation is made to the Honorable Larry R. Hicks, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B). For the reason set forth below, it is recommended that plaintiff's complaint be dismissed without prejudice.

I. BACKGROUND, DISCUSSION & CONCLUSION

On July 2, 2007, plaintiff in pro se filed a request to proceed in forma pauperis (#1). On September 18, 2007, this court entered an order denying plaintiff's request to proceed in forma pauperis and ordering plaintiff to pay the full filing fee of \$350.00 on or before October 19, 2007 (#6). The court cautioned plaintiff that failure to pay the filing fee would result in a report and recommendation to the District Court that this case be dismissed. Plaintiff failed to pay the required filing fee and has not requested additional time in which to do so. Therefore, this court recommends that plaintiffs' case be **DISMISSED** without prejudice.

The parties are advised:

1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of Practice, the parties may file specific written objections to this report and recommendation within ten days of receipt. These objections should be entitled "Objections to Magistrate Judge's Report and Recommendation" and should be accompanied by points and authorities for consideration by the District Court.

This report and recommendation is not an appealable order and any notice of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District Court's judgment. II. RECOMMENDATION IT IS THEREFORE RECOMMENDED that the district court enter an order **DISMISSING** plaintiff's complaint without prejudice. DATED: Mounder 9, 2007 STATES MAGISTRATE JUDGE

Case 3:07-cv-00298-LRH-VPC Document 7 Filed 11/09/07 Page 2 of 2